
**Agriculture & Natural Resources
Committee**

HB 3052

Brief Description: Concerning the management of the wildstock geoduck resource.

Sponsors: Representatives Appleton, Sells, Flannigan, Roberts, Haigh, Dickerson and Williams.

Brief Summary of Bill

- Requires in statute that the Washington Department of Fish and Wildlife has the primary responsibility to identify commercial geoduck tracks, conduct all geoduck resource assessments, and set the total allowable catch limits for the harvest of geoducks from state-owned aquatic lands.

Hearing Date: 1/30/08

Staff: Jason Callahan (786-7117).

Background:

Wildstock geoduck resources and the commercial geoduck fishery are generally managed jointly by the Washington Department of Fish and Wildlife (WDFW) and the Department of Natural Resources (DNR) pursuant to a Memorandum of Understanding (MOU). The MOU gives the WDFW primary responsibility for conducting resource assessments and setting the total amount of geoducks that can be harvested annually. The DNR has primary responsibility, according to the MOU, for managing the state harvest and sale of geoducks, including the planning and location of state sales.

Pursuant to a federal district court decision, Washington shares management authority over the geoduck fishery with tribal co-managers. US v. Washington, 873 F. Supp 1422 (1994) [often referred to as the "Rafeedie decision" after the judge who decided the case]. The Rafeedie decision and a later decision [US v. Washington, 898 F. Supp 1453 (1995)] describe how the court expects the state and the tribes to share equal portions of the sustainable harvest biomass of any shellfish species, including geoduck. The state and tribal co-managers are directed by the

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court to enter into management plans to implement the decision and to comply with the terms of all management plans.

WDFW and DNR agreed in the MOU to jointly represent the state delegation in conversations with area tribes concerning the state-tribal management of the subtidal geoduck fishery. Both state agencies agreed to work together in adopting a unified state position on geoduck management prior to presenting the state position to the tribal co-managers. The signatures of both state agency directors appear on management plans entered into by the state and tribes.

Summary of Bill:

The role of the WDFW as the entity with the primary responsibility to identify commercial geoduck tracks, conduct all geoduck resource assessments, and set the total allowable catch limits for the harvest of geoducks from state-owned aquatic lands is required in statute. The DNR is prohibited from substituting information from other sources when determining this information.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: The bill takes effect 90 days after adjournment of session in which bill is passed.